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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10:616,068	07/09/2003	Tomoyuki Sakaguchi	NEYM 20.501	9947
26304	7590	01/02/2004	EXAMINER	
KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585			MAI, LAM T	
			ART UNIT	PAPER NUMBER
			2819	

DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/616,068	<b>Applicant(s)</b> SAKAGUCHI, TOMOYUKI	
	<b>Examiner</b> LAM T MAI	<b>Art Unit</b> 2819	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### P riod for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.                      6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objections – 37 CFR 1.75***

*Claims 1,7 and 13 are objected under 37 CFR 1.75 (a) for failing to particularly point out and distinctly claim the subject matter which is applicant regards as the invention.*

*Regarding claim 1: There is no connection between “Coefficient bit modeling means” function on lines 12-23 and “Coefficient bit modeling means” function on lines 24-28. One of the function should be removed. On line 12, after comprises, “;” should be replaced by “:”. On line 12, “wherein” should be added before “said coefficient”.*

*Regarding claim 7: There is no connection between two step of “Coefficient bit modeling means” step on lines 17-27 and “Coefficient bit modeling means” step on lines 2-6 of page 20. One of the step should be removed. On line 17, after comprises, “;” should be replaced by “:”. On line 17, “wherein” should be added before “said coefficient”.*

*Regarding claim 13: There is no connection between two step of "Coefficient bit modeling means" step on lines 23-27 and "Coefficient bit modeling means" step on lines 8-12 of page 22. One of the step should be removed. On line 23, after comprises, ";" should be replaced by ":". On line 23, "wherein" should be added before "said coefficient".*

*This application is in condition for allowance except for the above matters.*

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire TWO MONTHS from the mailing date of this letter.

***Allowable Subject Matter***

Claims 1, 7 and 13 would be allowable if they are rewritten or amended to overcome the objection(s) under 37 CFR 1.75 (a), set forth in the office action.

The following is a statement of reasons for the indication of allowable subject matter: Claims 1, 7, and 13 are allowed over the prior art of record. The prior art of record fails to teach or suggest method and an apparatus for encoding digital image that integrate coefficient bit modeling means for carrying out coefficient bit modeling by using quantized coefficient; and digital image is divided into a plurality of subband while in conversion by digital to analog converter.

Claims 2-6, 8-12, and 14-18 are objected to as being dependent upon on a objected under 37 CFR 1.75 (a) base claim, but they would be considered for allowance

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if they are rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Cited References**

The prior art made of record and not replied upon is considered to pertinent application's disclosure. The cited references relate to encoding/decoding digital images data.

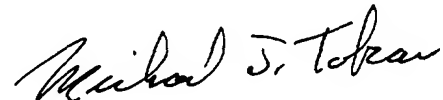
### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAM T MAI whose telephone number is (703)308-1703. The examiner can normally be reached on 6:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Tokar can be reached on (703)305-3493. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9306 for regular communications and (703)872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Lam T. Mai  
Art Unit 2819  
December 28, 2003

A handwritten signature in cursive script, reading "Michael J. Tokar".